

COUNTY COUNCIL
OF
HARFORD COUNTY, MARYLAND
BILL NO. 02-49

Introduced by Council Member Miller and Chenoweth

Legislative Day No. 02-26 Date December 3, 2002

AN ACT to repeal and re-enact, with amendments, Section 202-5, Certification; to repeal and re-enact, with amendments, Section 202-6, Permits; to repeal and re-enact, with amendments, Section 202-7, Plans and specifications; to repeal and re-enact, with amendments, Section 202-9, Inspection of plumbing and gas fitting; to repeal and re-enact, with amendments, Section 202-10, Emergency work; to repeal and re-enact, with amendments, Section 202-11, Piping through adjacent property; and to repeal and re-enact, with amendments, Section 202-12, Violations and penalties, all of Chapter 202, Plumbing, of the Harford County Code, as amended; to provide the standards, criteria and conditions associated with a septic installer's certificate, a journey septic installer's certificate and an on-site journey utility installer's certificate; to further provide for consistency in terms and language; and generally relating to plumbing.

By the Council, December 3, 2002

Introduced, read first time, ordered posted and public hearing scheduled

on: January 7, 2003

at: 7:30 p.m.

By Order: James E. Massey, Jr., Council Administrator

PUBLIC HEARING

Having been posted and notice of time and place of hearing and title of Bill having been published according to the Charter, a public hearing was held on January 7, 2003, and concluded on, January 7, 2003.

James E. Massey, Jr. / mkH, Council Administrator

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW. [Brackets] indicate matter deleted from existing law. Underlining indicates language added to Bill by amendment. Language lined through indicates matter stricken out of Bill by amendment.

Section 1. Be It Enacted By The County Council of Harford County, Maryland that Section 202-5, Certification; Section 202-6, Permits; Section 202-7, Plans and specifications; Section 202-9, Inspection of plumbing and gas fitting; Section 202-10, Emergency work; Section 202-11, Piping through adjacent property; and Section 202-12, Violations and penalties, all of Chapter 202, Plumbing, of the Harford County Code, as amended, be and they are hereby repealed and reenacted, with amendments, all to read as follows:

Chapter 202. Plumbing

§ 202-5. Certification.

A. All persons performing plumbing and/or gas fitting services in Harford County[,] shall be registered with the Division of Plumbing Services[,] and shall have a current certificate of registration.

B. To obtain a certificate of registration, the applicant shall have been qualified and approved by one of the following:

(1) The Maryland State Board of Plumbing;

(2) The Baltimore County Plumbing Board or the Washington Suburban Sanitary Commission; or

(3) The Harford County Plumbing Board.

C. Master plumber/gas fitters certificate. Any applicant who applies for a master certificate to perform the practice of plumbing or gas fitting in Harford County shall provide the Division of Plumbing Services with the following information:

(1) Current license number issued by the Maryland State Board of Plumbing or other accepted jurisdiction;

(2) Current business address with phone number; and

(3) A current certificate of insurance equal to or greater than such amount as required by the Maryland State Board of Plumbing.

D. Journeyperson certificate. Any journeyperson performing the practice of plumbing or gas fitting in Harford County shall be registered with the Division of Plumbing Services. To receive a certificate of registration, such person shall provide the Division of Plumbing Services with the following information:

(1) Current license number issued by the Maryland State Board of Plumbing or other accepted jurisdiction; and

(2) Name of current employer with employer's address and phone number.

E. Apprentice certificate. Any apprentice providing assistance to any registered master plumber or gas fitter providing service in Harford County shall be registered with the Maryland State Board of Plumbing or other accepted jurisdiction.

F. Liquefied petroleum gas installation license. All persons performing liquefied petroleum gas fitting in Harford County shall be registered with the Division of Plumbing Services. To receive a certificate of registration, such person shall provide the Division of Plumbing Services with the following information:

(1) The person's current license number issued by the Maryland State Board of Plumbing;

(2) The name, address and telephone number of the person's current employer; and

(3) A current certificate of insurance equal to or greater than such amount as required by the Maryland State Board of Plumbing.

G. Well pump/water conditioner installer's certificate. Any person making well

1 pump/water conditioner installations in Harford County shall register with the Division of Plumbing
2 Services. To receive a certificate of registration, the applicant shall provide the following information:

- 3 (1) Current Maryland State well pump/water conditioner installer's license;
- 4 (2) Current place of business with phone number; and
- 5 (3) A current certificate of insurance equal to or greater than such amount as
6 required by the Maryland State Board of Plumbing.

7 H. Master limited plumber's certificate. A master limited plumber's certificate may be
8 issued to a corporation, firm or company not primarily engaged in the plumbing business which desires
9 to do plumbing work limited to maintenance, testing and repair in connection with its primary business.
10 Such license shall specify the name of the representative or representatives employed by the
11 corporation, company or firm under whose direction such plumbing work shall be performed and who
12 shall be qualified by an examination by the Maryland State BOARD OF Plumbing [Board].

13 I. Journeyperson limited plumber's certificate. This certificate may be issued to any
14 limited journeyperson working under the direction of a person who has a current master limited
15 plumber's certificate.

16 J. On-site utility contractor's certificate. This certificate shall be issued to a person who is
17 deemed qualified by the Harford County Plumbing Board to install on-site water service[,] piping,
18 sewer and storm drainage piping from the property line to any structure on such property. To receive a
19 certificate, the applicant shall demonstrate a minimum of five years of supervisory experience in the
20 utility contractor trade and certification in OSHA requirements for confined spaces and OSHA Subpart
21 "P" in trench safety by an entity deemed acceptable by the Harford County Plumbing Board[,] or have
22 a certificate from another jurisdiction obtained in an equivalent manner as determined by the

administrative authority. Such applicant shall provide the Division of Plumbing Services with the following information:

- (1) A current business address and telephone number; and
- (2) A current certificate of insurance equal to or greater than such amount as required by the [State of] Maryland STATE BOARD OF Plumbing [Board].

The Board, in its discretion, may require a written test to determine proficiencies within the scope of the foregoing certificate. The administrative authority shall require a certified utility [person] CONTRACTOR OR A CERTIFIED JOURNEY UTILITY INSTALLER on all work sites to direct and control installations. All utility [work persons] CONTRACTORS on site shall have, on their person, a current certificate of completion of training in confined spaces and Subpart "P" in trench safety. The fee to obtain an on-site utility contractor's certificate shall be \$45.

K. ON-SITE JOURNEY UTILITY INSTALLER'S CERTIFICATE. THIS CERTIFICATE SHALL BE ISSUED TO A PERSON WHO IS DEEMED QUALIFIED BY THE HARFORD COUNTY PLUMBING BOARD TO INSTALL ON-SITE WATER SERVICE PIPING, SEWER AND STORM DRAINAGE PIPING FROM THE PROPERTY LINE TO ANY STRUCTURE ON SUCH PROPERTY UNDER THE DIRECTION AND CONTROL OF A CERTIFIED UTILITY CONTRACTOR. TO RECEIVE A CERTIFICATE, THE APPLICANT SHALL DEMONSTRATE A MINIMUM OF TWO YEARS EXPERIENCE IN THE UTILITY CONSTRUCTION TRADE AND TRAINING IN OSHA REQUIREMENTS FOR CONFINED SPACES AND OSHA SUBPART "P" IN TRENCH SAFETY BY AN ENTITY DEEMED ACCEPTABLE BY THE HARFORD COUNTY PLUMBING BOARD OR HAVE A CERTIFICATE FROM ANOTHER JURISDICTION OBTAINED IN AN EQUIVALENT MANNER AS

1 DETERMINED BY THE ADMINISTRATIVE AUTHORITY. SUCH APPLICANT SHALL
2 PROVIDE THE DIVISION OF PLUMBING SERVICES WITH THE FOLLOWING
3 INFORMATION:

4 (1) NAME OF CURRENT EMPLOYER WITH EMPLOYER'S ADDRESS AND
5 TELEPHONE NUMBER; AND

6 (2) A CURRENT PHOTO ID.

7 THE BOARD, IN ITS DISCRETION, MAY REQUIRE A WRITTEN TEST TO DETERMINE
8 PROFICIENCIES WITHIN THE SCOPE OF THE FOREGOING CERTIFICATE. THE
9 ADMINISTRATIVE AUTHORITY SHALL REQUIRE A CERTIFIED UTILITY CONTRACTOR
10 OR A CERTIFIED JOURNEY UTILITY INSTALLER ON ALL WORK SITES TO DIRECT AND
11 CONTROL INSTALLATIONS. ALL JOURNEY UTILITY INSTALLERS ON SITE SHALL
12 HAVE, ON THEIR PERSON, A CURRENT CERTIFICATE OF COMPLETION OF TRAINING IN
13 CONFINED SPACES AND SUBPART "P" IN TRENCH SAFETY. THE FEE FOR A JOURNEY
14 UTILITY INSTALLER'S CERTIFICATE SHALL BE \$15.

15 L. SEPTIC INSTALLER'S CERTIFICATE. THIS CERTIFICATE SHALL BE ISSUED
16 TO A PERSON WHO IS DEEMED QUALIFIED BY THE HARFORD COUNTY PLUMBING
17 BOARD TO INSTALL SEWAGE DISPOSAL SYSTEMS. TO RECEIVE A CERTIFICATE, THE
18 APPLICANT SHALL DEMONSTRATE A MINIMUM OF FIVE YEARS OF SUPERVISORY
19 EXPERIENCE IN THE CONSTRUCTION OF SEWAGE DISPOSAL SYSTEMS AND
20 CERTIFICATION IN OSHA REQUIREMENTS FOR CONFINED SPACES AND OSHA
21 SUBPART "P" IN TRENCH SAFETY BY AN ENTITY DEEMED ACCEPTABLE BY THE
22 HARFORD COUNTY PLUMBING BOARD OR HAVE A CERTIFICATE FROM ANOTHER

JURISDICTION OBTAINED IN AN EQUIVALENT MANNER AS DETERMINED BY THE ADMINISTRATIVE AUTHORITY. SUCH APPLICANT SHALL PROVIDE THE DIVISION OF PLUMBING SERVICES WITH THE FOLLOWING INFORMATION:

- (1) A CURRENT BUSINESS ADDRESS AND TELEPHONE NUMBER;
- (2) A CURRENT CERTIFICATE OF INSURANCE EQUAL TO OR GREATER THAN SUCH AMOUNT AS REQUIRED BY THE MARYLAND STATE BOARD OF PLUMBING; AND
- (3) A CURRENT PHOTO ID.

THE BOARD, IN ITS DISCRETION, MAY REQUIRE A WRITTEN TEST TO DETERMINE PROFICIENCIES WITHIN THE SCOPE OF THE FOREGOING CERTIFICATE. THE ADMINISTRATIVE AUTHORITY SHALL REQUIRE A CERTIFIED SEPTIC INSTALLER OR A CERTIFIED JOURNEY SEPTIC INSTALLER ON ALL WORK SITES TO DIRECT AND CONTROL INSTALLATIONS. ALL SEPTIC INSTALLERS ON SITE SHALL HAVE, ON THEIR PERSON, A CURRENT CERTIFICATE OF COMPLETION OF TRAINING IN CONFINED SPACES AND SUBPART "P" IN TRENCH SAFETY. THE FEE FOR A SEPTIC INSTALLER'S CERTIFICATE SHALL BE \$45.

M. JOURNEY SEPTIC INSTALLER'S CERTIFICATE. THIS CERTIFICATE SHALL BE ISSUED TO A PERSON WHO IS DEEMED QUALIFIED BY THE HARFORD COUNTY PLUMBING BOARD TO INSTALL SEWAGE DISPOSAL SYSTEMS UNDER THE DIRECTION AND CONTROL OF A CERTIFIED SEPTIC INSTALLER. TO RECEIVE A CERTIFICATE, THE APPLICANT SHALL DEMONSTRATE A MINIMUM OF TWO YEARS EXPERIENCE IN THE INSTALLATION OF SEWAGE DISPOSAL SYSTEMS AND TRAINING IN OSHA

1 REQUIREMENTS FOR CONFINED SPACES AND OSHA SUBPART "P" IN TRENCH SAFETY
2 BY AN ENTITY DEEMED ACCEPTABLE BY THE HARFORD COUNTY PLUMBING BOARD
3 OR HAVE A CERTIFICATE FROM ANOTHER JURISDICTION OBTAINED IN AN
4 EQUIVALENT MANNER AS DETERMINED BY THE ADMINISTRATIVE AUTHORITY.
5 SUCH APPLICANT SHALL PROVIDE THE DIVISION OF PLUMBING SERVICES WITH THE
6 FOLLOWING INFORMATION:

7 (1) NAME OF CURRENT EMPLOYER WITH EMPLOYER'S ADDRESS AND
8 TELEPHONE NUMBER; AND

9 (2) A CURRENT PHOTO ID.

10 THE BOARD, IN ITS DISCRETION, MAY REQUIRE A WRITTEN TEST TO DETERMINE
11 PROFICIENCIES WITHIN THE SCOPE OF THE FOREGOING CERTIFICATE. THE
12 ADMINISTRATIVE AUTHORITY SHALL REQUIRE A CERTIFIED SEPTIC INSTALLER OR A
13 CERTIFIED JOURNEY SEPTIC INSTALLER ON ALL WORK SITES TO DIRECT AND
14 CONTROL INSTALLATIONS. ALL JOURNEY SEPTIC INSTALLERS ON SITE SHALL HAVE,
15 ON THEIR PERSON, A CURRENT CERTIFICATE OF COMPLETION OF TRAINING IN
16 CONFINED SPACES AND SUBPART "P" IN TRENCH SAFETY. THE FEE FOR A JOURNEY
17 SEPTIC INSTALLER'S CERTIFICATE SHALL BE \$15.

18 [K]N. Practice of plumbing and gas fitting. No person shall engage in plumbing or gas fitting
19 as defined in this chapter in Harford County, unless that person has been duly authorized to do so by
20 the issuance of [one of the foregoing certificates] THE APPROPRIATE CERTIFICATE.

21 [L]O. Fees for certificate of registration and exams. Fees shall be as set forth in Chapter 157
22 of the Harford County Code.

1 [M]P. All such certificates shall be renewed each year by payment of renewal fee equal to the
2 original charge set forth herein prior to MAY 1ST OF EACH YEAR. HOWEVER, AS OF MAY 1,
3 2004, ALL SUCH CERTIFICATES SHALL BE ISSUED FOR A TWO-YEAR PERIOD. [May 1,
4 2001 and expiring April 30, 2002. Thereafter, all such certificates shall be issued for a two-year period
5 beginning May 1, 2002 and expiring April 30th on the even years.]

6 [N]Q. The administrative authority may, in its discretion, suspend or revoke the certificate of
7 any person who makes any false or misleading statement in an application, [or] who sells, lends or
8 otherwise permits any improper use of a certificate or who obtains permits for others to do plumbing,
9 [or] gas fitting OR ON-SITE SEWAGE DISPOSAL work, who fails to maintain a regular place of
10 business or who commits any violation of the Harford County Plumbing, [or] Gas Fitting OR
11 SEWAGE DISPOSAL SYSTEMS Code.

12 [O]R. Upon receipt of written requests directed to the administrative authority, the
13 administrative authority, in its discretion, may suspend or revoke the certificate of any person who
14 commits any violation of the Harford County Plumbing and Gas Fitting Code or any other law or
15 regulation governing the conduct of the plumbing and gas fitting business AND SEWAGE
16 DISPOSAL.

17 (1) No certificate shall be suspended or revoked except after public hearing before
18 the administrative authority of which the certificate holder shall receive at least five days notice in
19 writing, together with a statement of the charges. Upon such hearing, the administrative authority may
20 suspend any certificate for such a period of time as it may find proper[,] or may revoke same.

21 (2) In the event of a revocation, no application for the reinstatement of a revoked
22 certificate shall be entertained until the expiration of six months from the date of such revocation. At

1 the end of such six month period, the administrative authority may, in its discretion, reinstate a revoked
2 certificate.

3 [P]S. Any certificate holder shall notify the administrative authority immediately of any
4 changes in location of business, employer or phone number.

5 **§ 202-6. Permits.**

6 A. No work authorized under this title, unless excepted in this chapter, shall be undertaken
7 without a permit therefore issued by the Department of Inspections, Licenses and Permits OR, IN THE
8 CASE OF SEPTIC INSTALLERS, ISSUED BY THE HARFORD COUNTY HEALTH
9 DEPARTMENT. Only master plumbers/gas fitters, master gas fitters, well pump/water conditioner
10 installers, [and] on-site utility contractors AND SEPTIC INSTALLERS shall be eligible to receive
11 permits and then only to the extent that they are authorized to do work under this Code.

12 B. A plumbing permit OR SEWAGE DISPOSAL PERMIT required by the administrative
13 authority may be issued to a bona fide owner of a single-family dwelling occupied exclusively by the
14 owner to do any plumbing OR SEWAGE DISPOSAL work regulated by this Code on the dwelling, on
15 condition that such work is done in compliance with this Code. The owner must be qualified by the
16 administrative authority before a permit may be issued.

17 C. Permits not required:

18 (1) General repairs. No permit shall be required for the replacement of faucets, ball
19 cocks, exposed fixture traps[,] or shut-off valves.

20 (2) Stoppages and leaks. No permit shall be required for the clearing of stoppages
21 or repairing of leaks, when such repairs do not require the replacement of plumbing fixtures or any
22 portion of the drainage system.

D. Permit fees. The schedule of fees for the issuance of permits for plumbing, [and] gas fitting AND SEWAGE DISPOSAL work shall be as designated in Chapter 157 of the Harford County Code, as amended.

E. Change of [master plumber/gas fitter] CERTIFIED CONTRACTOR.

(1) A permit may be canceled by one master plumber/gas fitter, master gas fitter, water pump contractor, [or] on-site utility contractor OR SEPTIC INSTALLER and a new permit issued to another master plumber/gas fitter, master gas fitter, water pump contractor, [or] on-site utility contractor OR SEPTIC INSTALLER upon the written request of the owner of the property or the owner's agent. There shall be a seven working day waiting period before issuing a new permit. The seven working day waiting period begins when the Division of Plumbing Services, OR IN THE CASE OF A SEWAGE DISPOSAL PERMIT, THE HARFORD COUNTY HEALTH DEPARTMENT, receives such request from the owner or owner's agent. During this time the original [plumber/gas fitter] CONTRACTOR will be notified by the administrative authority that the owner or owner's agent has submitted such request [to the Division of Plumbing Services].

(2) After seven working days, a new permit may be issued. At this time, the new master plumber/gas fitter, master gas fitter, water pump contractor, [or] on-site utility contractor OR SEPTIC INSTALLER shall sign an agreement assuming responsibility for the [entire plumbing/gas fitting job] PROJECT. The fee for the new permit will be the same cost as the original permit. The waiting period may be waived upon the agreement of all parties.

§ 202-7. Plans and specifications.

All plans and specifications required herein shall be designed by a registered professional engineer licensed to do business in the State of Maryland, except that a master plumber/gas fitter,

1 master gas fitter, [or] on-site utility contractor OR SEPTIC INSTALLER registered to do business in
2 Harford County may design plumbing, [or] gas fitting OR SEWAGE DISPOSAL systems for their
3 own installation. Each set of plans and specifications submitted shall have thereon the name and
4 address of the designer[,] and certification by the designer that the plans and specification have been
5 prepared in accordance with this chapter. The plans and specifications shall be submitted to the
6 administrative authority and shall have thereon complete design and calculation criteria.

7 **§ 202-8. Private water systems.**

8 No property served by a private water system shall be directly or indirectly connected to any
9 public water supply until it is disconnected from its original source of supply, inspected and approved
10 by the administrative authority and connected in accordance with the provisions of the Code.

11 **§ 202-9. Inspection of plumbing, [and] gas fitting AND SEWAGE DISPOSAL SYSTEMS.**

12 A. The Division of Plumbing Services shall cause the inspection of all plumbing and gas
13 fitting for which a plumbing or gas permit, other than an annual inspection permit, is required in
14 Harford County during the course of construction and upon completion of the construction. THE
15 HARFORD COUNTY HEALTH DEPARTMENT SHALL CAUSE THE INSPECTION OF ALL
16 SEWAGE DISPOSAL SYSTEMS FOR WHICH A SEWAGE DISPOSAL PERMIT, OTHER THAN
17 AN ANNUAL INSPECTION PERMIT, IS REQUIRED IN HARFORD COUNTY DURING THE
18 COURSE OF CONSTRUCTION AND UPON COMPLETION OF THE CONSTRUCTION. If any
19 defects are found, the administrative authority, OR IN THE CASE OF SEWAGE DISPOSAL
20 SYSTEMS INSTALLATION, THE HARFORD COUNTY HEALTH DEPARTMENT, shall have the
21 authority to order such plumbing, [or] gas fitting OR SEWAGE DISPOSAL SYSTEM to be corrected
22 to comply with the provisions of this Code. It shall be unlawful for any person to cover or enclose

1 from view any portions of such plumbing, [or] gas fitting OR SEWAGE DISPOSAL SYSTEM prior to
2 the time that the Division of Plumbing Services OR THE HARFORD COUNTY HEALTH
3 DEPARTMENT has inspected and approved it. The Division of Plumbing Services, OR IN THE
4 CASE OF SEWAGE DISPOSAL SYSTEMS INSTALLATION, THE HARFORD COUNTY
5 HEALTH DEPARTMENT, shall prepare a written report of all such inspections and will maintain such
6 report in an appropriate file.

7 B. No potable well water service line or well for potable water supply shall be covered or
8 enclosed from view prior to inspection by the Division of Plumbing Services. The service line and all
9 underground fittings connected thereto shall be tested for leaks and overall integrity prior to covering
10 and enclosing the line.

11 **§ 202-10. Emergency work.**

12 When work of an emergency nature, OTHER THAN SEWAGE DISPOSAL WORK, must be
13 performed to rectify a possible health hazard or dangerous condition, the master plumber/gas fitter,
14 master gas fitter, water pump contractor or on-site utility contractor, as the case may be, may undertake
15 such work prior to the issuance of a permit, but it will be his or her responsibility to notify the
16 administrative authority of the emergency and obtain a permit for doing such work within two working
17 days.

18 **§ 202-11. Piping through adjacent property.**

19 Sewer, water and gas piping shall not be connected or installed on a property other than the
20 property to be served. Plumbing or gas piping connections which cannot be made except by the
21 crossing of non-serviced property, may, with the permission of the administrative authority, be carried
22 through a right-of-way or easement across non-serviced property provided that:

1 A. All privileges of such right-of-way or easement are obtained by the property owner
2 desiring service, without any cost or liability to Harford County;

3 B. Such easement [of] OR right-of-way shall meet all regulatory requirements of the
4 authority having jurisdiction; and

5 C. Such easement or right-of-way shall be granted and conveyed by formal deed recorded
6 in the land records of Harford County.

7 **§ 202-12. Violations and penalties.**

8 A. Any person, firm or corporation who individually, collectively or through others shall
9 construct, erect, alter or repair any plumbing, [or] gas fitting OR SEWAGE DISPOSAL work in
10 violation of any provision of this chapter shall be subject to a misdemeanor charge and upon conviction
11 shall be subject to a fine of not more than \$1,000 or imprisonment of not more than three months or
12 both. Each day a violation exists shall be considered a separate violation.

13 B. Harford County may also proceed by civil injunction in the enforcement of this chapter.

14 Section 2. And Be It Further Enacted that this Act shall take effect 60 calendar days from the date
15 it becomes law.

EFFECTIVE: March 14, 2003

*The Council Administrator does hereby certify that
fifteen (15) copies of this Bill are immediately available for
distribution to the public and the press.*


Council Administrator

BILL NO. 02-49

HARFORD COUNTY BILL NO. 02-49

Brief Title) Septic And Journey Septic Installers' Certification

is herewith submitted to the County Council of Harford County for enrollment as being the text as finally passed.

CERTIFIED TRUE AND CORRECT

James E. Massey Jr.
Administrator

ENROLLED
Robert S. Wagoner
Council President

Date January 7, 2002

Date January 7, 2003

BY THE COUNCIL

Read the third time.

Passed: LSD 03-1 (January 7, 2003)

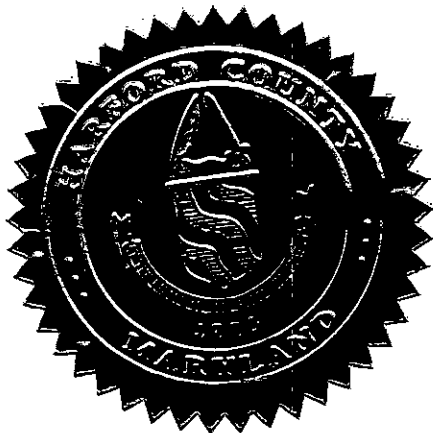
Failed of Passage: _____

By Order

James E. Massey Jr. /meh
Council Administrator

Sealed with the County Seal and presented to the County Executive for approval this 9th day of January 2003 at 4:00 p.m.

James E. Massey Jr. /meh
Council Administrator



BY THE EXECUTIVE

James H. Herbert
COUNTY EXECUTIVE

APPROVED: Date 1-13-03

BY THE COUNCIL

This Bill, No. 02-49, having been approved by the Executive and returned to the Council, becomes law on January 13, 2003.

EFFECTIVE DATE: March 14, 2003

Mary K. Herbig Administrator
BILL NO. 02-49